

110TH CONGRESS
2D SESSION

S. 3672

To amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1 (legislative day, SEPTEMBER 17), 2008

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Opportunity and
5 Development Act” or the “ROAD Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that investment in highway preserva-
8 tion and improvement is essential to the economic develop-
9 ment and well-being of rural areas.

1 **SEC. 3. RURAL OPPORTUNITY AND DEVELOPMENT PRO-**
 2 **GRAM.**

3 (a) IN GENERAL.—Subchapter I of chapter 1 of title
 4 23, United States Code, is amended by inserting after sec-
 5 tion 149 the following:

6 **“§ 150. Rural opportunity and development program**

7 “(a) ESTABLISHMENT.—The Secretary shall estab-
 8 lish and implement a rural opportunity and development
 9 program to promote opportunity and economic develop-
 10 ment in rural States by allocating funds to States for the
 11 preservation and improvement of highways.

12 “(b) STATE ALLOCATIONS.—

13 “(1) IN GENERAL.—Funds authorized to be ap-
 14 propriated for the program established under sub-
 15 section (a) shall be allocated for each fiscal year
 16 among States in accordance with this subsection.

17 “(2) STATE SHARES.—The Secretary shall de-
 18 termine the number of shares to be allocated among
 19 eligible States by assigning—

20 “(A) 6 shares to each State with a popu-
 21 lation density of 20 or fewer individuals per
 22 square mile of land area;

23 “(B) 3 shares to each State with a popu-
 24 lation density of between 20 and 40 individuals
 25 per square mile of land area;

1 “(C) 1 share to each State with a popu-
 2 lation density of between 40 and 70 individuals
 3 per square mile of land area; and

4 “(D) 1 share to each State that has more
 5 than 57,000 square miles of land area and a
 6 population density of greater than 70 individ-
 7 uals per square mile of land area.

8 “(3) USE OF 2000 DECENNIAL CENSUS.—In de-
 9 termining the population density of States under
 10 paragraph (2), the Secretary shall use data con-
 11 tained in the 2000 decennial census.

12 “(4) CALCULATION OF SHARES.—For each fis-
 13 cal year, for each share assigned to a State under
 14 paragraph (2), the Secretary shall allocate to such
 15 State an amount equal to the quotient obtained by
 16 dividing—

17 “(A) \$1,000,000,000; by

18 “(B) the total number of shares assigned
 19 under paragraph (2) for the fiscal year.

20 “(c) USE OF FUNDS.—Funds allocated to a State for
 21 the program established under subsection (a)—

22 “(1) may be used for any type of project eligi-
 23 ble under section 133;

24 “(2) are not subject to other provisions of sec-
 25 tion 133; and

1 “(3) may not be expended on projects located
 2 within the geographical boundaries of an area that
 3 has been identified or designated as a transportation
 4 management area under section 134(k)(1).”.

5 (b) CONFORMING AMENDMENT.—The analysis for
 6 chapter 1 of title 23, United States Code, is amended by
 7 inserting after the item relating to section 149 the fol-
 8 lowing:

“150. Rural opportunity and development program.”.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 From amounts available in the Highway Trust Fund
 11 (other than the Mass Transit Account), there is author-
 12 ized to be appropriated, for fiscal year 2010 and for each
 13 subsequent fiscal year, \$1,000,000,000, which—

14 (1) shall be used for the rural opportunity and
 15 development program established under section 150
 16 of title 23, United States Code;

17 (2) shall remain available until expended; and

18 (3)(A) shall be available for obligation as if the
 19 funds were apportioned under chapter 1 of title 23,
 20 United States Code; but

21 (B) shall not be subject to any limitation on ob-
 22 ligations.

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